

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

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6      IN THE MATTER OF:                :
7      Prospect Dining, LLC,            :
8      t/a Chinese Disco                :
9      3251 Prospect Street NW          : Case #15-CMP-00315
10                                           : Show Cause
11      License #78058, Retailer CR     : (status)
12      ANC-2E                          :
13      Failed to Obtain a Cover        :
14      Charge Endorsement              :
15      - - - - - - - - - - - - - -X

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17 Wednesday, January 20, 2016

19 Whereupon, the above-referenced matter
20 came on for hearing at the Alcoholic Beverage
21 Control Board, Reeves Center, 2000 14th Street,
22 N.W., Suite 400S, Washington, D.C. 20009.

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1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

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10 ALSO PRESENT:

11 LOUISE PHILLIPS

12 on behalf of District of Columbia

13 EVANS MARTIN

14 on behalf of the Applicant

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1 P R O C E E D I N G S

2 [10:07 a.m.]

3 CHAIRMAN ANDERSON: The next case on our
4 show cause hearing calendar is case number 15-
5 CMP-00315, Chinese Disco, license number 78058.
6 Will the parties please approach?

7 Yes. I was given some instruction for
8 how I should call the cases when certain parties
9 were here. But I'm going to go back to the
10 regular order after this case.

11 MS. PHILLIPS: So what are we calling
12 now?

13 CHAIRMAN ANDERSON: I just called Chinese
14 Disco, the show cause -- the eleven o'clock case,
15 which is the Chinese Disco.

16 MS. PHILLIPS: Okay.

17 CHAIRMAN ANDERSON: But after this case,
18 I will go back to the regular order. And one of
19 the reasons why I'm calling this case, it's my
20 understanding there were some preliminary --
21 there's a preliminary issue. If that's not
22 correct, I'll go back to --

1 MS. PHILLIPS: No, there is. It's just
2 that I'm covering all of them but Ms. Gephardt's.
3 And so I'm expecting them to go in order.

4 [Laughter.]

5 MS. PHILLIPS: I get easily confused, Mr.
6 Chair. Don't mind me.

7 [Laughter.]

8 CHAIRMAN ANDERSON: Well, remember. I
9 did inform you that I was a potted plant sitting
10 here, and so therefore I'm just following
11 instructions.

12 MS. PHILLIPS: All right.

13 CHAIRMAN ANDERSON: And so, my
14 assumption, and I assume incorrectly, is that the
15 parties were aware of the instructions that were
16 given to me.

17 [Laughter.]

18 MS. PHILLIPS: Louise Phillips, Assistant
19 Attorney General for the District of Columbia.

20 CHAIRMAN ANDERSON: Thank you.

21 MS. MARTIN: And Evans Martin.

22 CHAIRMAN ANDERSON: All right. And whom

1 do you represent, ma'am?

2 MS. MARTIN: David Chung.

3 CHAIRMAN ANDERSON: Ah. Thank you.

4 All right. Are there any preliminary
5 matters?

6 MS. PHILLIPS: There are indeed, Mr.
7 Chair. The parties have --

8 CHAIRMAN ANDERSON: Hold on one minute,
9 please.

10 Do you have --

11 MS. MARTIN: He emailed an assigned
12 letter yesterday. But I have it on my phone also
13 if you need it.

14 CHAIRMAN ANDERSON: All right. It's my
15 understanding that the Agency does have something
16 giving you the authority to do that. Okay.
17 Thanks.

18 Yes, I'm sorry. Go ahead. Yes, ma'am.

19 MS. PHILLIPS: Okay. The parties have an
20 offer in compromise to present to the board.
21 Let's see. It would be a fine of \$500 to be paid
22 within 30 days. And otherwise, the license will

1 be suspended.

2 CHAIRMAN ANDERSON: Okay. All right. So
3 my understanding is an offer, and the offer that
4 both parties have agreed to is a \$500 fine that
5 will be paid within 30 days. And if it's not
6 paid within 30 days, the license will be
7 suspended.

8 Is this your understanding of the offer?

9 MS. MARTIN: Yes, sir.

10 CHAIRMAN ANDERSON: And do you agree that
11 by accepting this offer that you waive your right
12 to a hearing?

13 MS. MARTIN: Yes.

14 CHAIRMAN ANDERSON: And do you also agree
15 that by accepting this offer, you are also
16 waiving your right to appeal this matter?

17 MS. MARTIN: Yes.

18 CHAIRMAN ANDERSON: All right. Thank
19 you.

20 Do any of the board members have any
21 questions or comment regarding this offer in
22 compromise?

1 [Chorus of "No, we don't."]

2 CHAIRMAN ANDERSON: Hearing none, I make
3 a motion that this offer be accepted. Is there a
4 second?

5 MR. SHORT: Second.

6 CHAIRMAN ANDERSON: Mr. Short has second
7 the motion. Those in favor, say Aye.

8 [Chorus of Ayes.]

9 CHAIRMAN ANDERSON: Those opposed?

10 [No audible response.]

11 CHAIRMAN ANDERSON: Hearing none, the
12 matter passes 5-0-0. Thank you very much. Thank
13 you.

14 [Whereupon, at 10:10 a.m., the
15 above-entitled matter concluded.]

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